

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JENELLE FLEMING AND CHAD
WATTS, et al.,

Plaintiffs,

v.

MICHAEL KACHALKIN, et al.,

Defendants.

Case No. 2:23-cv-01666-KJM-JDP (PC)

ORDER

Plaintiff Chad Watts, a state prisoner proceeding pro se, and co-plaintiff Jenelle Fleming, Watts' fiancé, have filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 12, 2023, the magistrate judge filed findings and recommendations, which were served on plaintiffs and which contained notice to plaintiffs that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiffs have not filed objections to the findings and recommendations.

The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law

1 by the magistrate judge are reviewed de novo by both the district court and [the appellate] court
2 . . .”). Having reviewed the file, the court finds the substance of the findings and
3 recommendations to be supported by the record and by the proper analysis.

4 Accordingly, IT IS HEREBY ORDERED that:

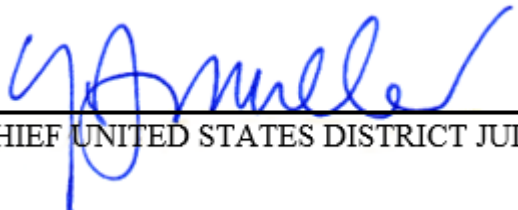
5 1. The findings and recommendations filed December 12, 2023, ECF No. 6, are adopted
6 in full;

7 2. This action is stayed pending the resolution of the state court proceedings against
8 plaintiff Watts;

9 3. Plaintiffs are directed to file monthly status updates as to the status of the criminal
10 proceedings; and

11 4. This matter is referred back to the assigned magistrate judge for all further pretrial
12 proceedings.

13 DATED: February 28, 2024.

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16 CHIEF UNITED STATES DISTRICT JUDGE
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